

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is requested. Claims 1-18 are in this application. Claims 1-3, 5-8, 11, and 17 have been amended.

The Examiner provisionally rejected claims 1, 2, 11 and 12 under the judicially created doctrine of double-patenting over claims 1, 2, 15, and 16 of co-pending Application No. 10/669,192. Solely for the purpose of removing this rejection to place the claims in a condition for allowance, applicant has attached a terminal disclaimer in Appendix A. As a result, claims 1, 2, 11, and 12 are allowable.

The Examiner objected to claims 3-10 and 13-18 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if amended to be in independent form to include all of the limitations of the base claim and any intervening claims. Claims 3-10 and 13-18 have not been amended to be in independent form because claims 1, 2, 11, and 12 are patentable in view of the terminal disclaimer.

Claims 1-3, 5-8, 11, and 17 have been amended to alternately claim the present invention. It is believed, however, that the amendments do not effect the Examiner's reasons for allowance.

10/669,193

PATENT

Thus, for the foregoing reasons, it is submitted that all of the claims are in a condition for allowance. Therefore, the Examiner's early re-examination and reconsideration are respectively requested.

Respectfully submitted,

Dated: 4-21-05

By: Mark C. Pickering

Mark C. Pickering
Registration No. 36,239
Attorney for Assignee

P.O. Box 300
Petaluma, CA 94953-0300
Telephone: (707) 762-5500
Facsimile: (707) 762-5504
Customer No. 33402

AMENDMENT IN RESPONSE TO OFFICIAL
ACTION MAILED JANUARY 24, 2005

Atty. Docket No. 200-65400
(2003-00401)

10/669,193

PATENT

APPENDIX A

AMENDMENT IN RESPONSE TO OFFICIAL
ACTION MAILED JANUARY 24, 2005

Atty. Docket No. 200-65400
(2003-00401)